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2004 MAR -3 A 11:43

Docket Control - W01004B-03-0722

Arizona Corporation Commission

1200 W. Washington

Phoenix, AZ 85007-2996

AZ CORP COMMISSION  
DOCUMENT CONTROL

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Enclosed please find an original and thirteen of an applicant intervenor document captioned:  
COMPLAINT AND MOTION FOR REMOVAL.

The complaint was drafted in response to an ACC Procedural Order by Marc Stern dated 26 Feb 2004.

Please enter for the record.

Earl M. Hasbrouck  
P. O. Box 1034  
Ash Fork, AZ 86320-1034  
928/637-0302

EMH:mtf

Encl: Orig + 13

Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

(Utilities Division)  
1200 West Washington  
Phoenix, Arizona 85007

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In re: THE APPLICATION OF ASH FORK  
DEVELOPMENT ASSOCIATION, INC.  
d/b/a ASH FORK WATER SERVICE  
FOR A RATE INCREASE.

DOCKET NO. W01004B-03-0722  
AZ CORP COMMISSION  
DOCUMENT CONTROL

\*\*\*\*\*  
**COMPLAINT AND MOTION FOR REMOVAL**  
\*\*\*\*\*

COMES NOW Earl M. Hasbrouck (hereinafter "Complainant") of Ash Fork, Arizona pursuant to A.R.S. §40-246 in response to a 26 Feb 2004 Procedural Order by the Arizona Corporation Commission (hereinafter "ACC" or "Commission") and formally complains of the Commission that Complainant is informed and believes and formally complains and alleges based upon such information and belief:

1. That the conditions imposed by the 26 Feb 2004 Procedural Order s/Marc E. Stern constitute a continuation of regulatory authority corruption previously complained about via third party complaint in both Docket No. W01004B-02-0768 and Docket No. W01004B-03-0510, each of which is incorporated herein by reference in it's entirety for the reason that the Commission knowingly and deliberately refused to deal with any of the corruption complained about, declining voluntary rehearing and internal investigation called for by an intervening party to the actions, then subsequently intentionally breaching the Commission's own separate promise to provide an investigative evidentiary forum to deal with the problem.
2. That the act by the Commission complained about here and in the separate **Motion For Recission** of this same date and docket number concerning the imposition of inappropriate restrictions and conditions on individuals seeking intervention status which are deliberately intended to interfere with, bar or delay entry into the case by third party concerned citizen applicants is arbitrary, capricious and not in accordance with law, the action taken by the Commission in this case based on a piece of paper never introduced into evidence during any of the proceedings, it's existence previously denied on numerous occasions by both the utility and the Commission.
3. That the Commission's imposition of inappropriate restrictions and/or conditions in a formal procedural order based upon a piece of paper never introduced into evidence is so obvious in it's prejudice, so extreme in it's abusive over-reaching exercise of authority and so clear in it's intent to deliberately, deceptively interfere with the rights of Arizona utility consumers whoever or wherever they may reside that the act(s) constitute

Arizona Corporation Commission

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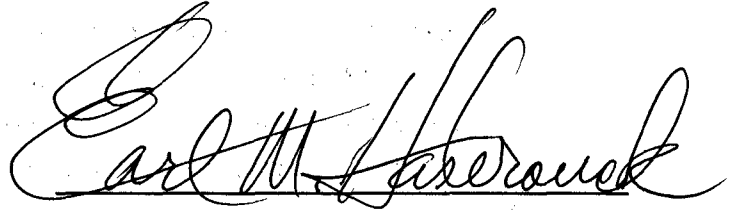
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incontrovertible proof of the on-going rampant tyranny and wrongful partiality, bias and discrimination by Commission staff bent on discriminatorily advocating for the Applicant to the detriment of other parties, conditions which have been obviously present in each of the three Ash Fork Water actions throughout, conditions which warrant unconditional removal of the presiding jurist under whose authority the order was issued.

**WHEREFORE**, premises considered in this complaint as well as in another, separate **Complaint and Motion For Rescission** of the same date and docket number incorporated herein by reference, this Complainant, a qualified party to Docket No. W-01004B-03-0722 by virtue of the provisions of A.C.C. §R14-3-103, hereby moves pursuant to A.R.S. §41-1092.07 to disqualify Administrative Law Judge Marc. E. Stern for cause from further participation in this or any other matter involving Ash Fork Water based on extreme personal prejudice, bias and discrimination.

Complainant prays for immediate relief on this, the 1<sup>ST</sup> day of March, 2004.

By my signature below, I, the undersigned, do hereby certify that the statements herein are accurate, true and correct to the best of my knowledge and ability and as to those statements made based upon information and belief, that they are believed to be accurate, true and correct as well.



Earl M. Hasbrouck, Complainant  
P. O. Box 1034  
Ash Fork, AZ 86320-1034  
928/637-0302

CERTIFICATE OF SERVICE

Pursuant to R-14-3-107 A.C.C.)

I, Earl M. Hasbrouck, by my signature hereinabove, do hereby certify that on the date herein recited, I have served the foregoing document on the parties of record by placing the required number of copies into the United States mail, First Class Postage prepaid, addressed to:

Arizona Corporation Commission  
1200 West Washington  
Phoenix, AZ 85007-2996  
(Original and thirteen)

Lewis Hume, Manager  
Ash Fork Development Ass'n d/b/a Ash Fork Water  
P. O. Box 436  
Ash Fork, AZ 86320-0436  
(Conformed copy)